

Serial No.: 10/809,291

Patent
M1015.70002US01

REMARKS

In the Office Action of August 23, 2005, the Examiner has divided the claims into three (3) groups: Group I (claims 1-3, 9, 21, 34, 39, 205, 209 and 215), drawn to a method; Group II (claim 211), drawn to a composition; and Group III (claim 216), drawn to an article.

Applicants submit that the present invention is directed to chemical and biochemical detection methods. The invention is more particularly directed to techniques in which colloids bind to non-colloidal structures and to techniques in which multiple signals indicate a single binding event. Therefore, the methods comprising the colloid particles, the composition comprising a colloid particle, and the article comprising the colloid particle are closely related each other as product and process of use or as components of each invention.

Further, Applicants submit that there is not an undue burden placed upon the Examiner to search and consider all of the closely related claims. Accordingly, all of the claims should be joined and examined together.

However, in order to be responsive to the outstanding Restriction Requirement, Applicants provisionally elect to prosecute the subject matter of Group I (claims 1-3, 9, 21, 34, 39, 205, 209 and 215) drawn to a method, for prosecution on the merits, with traverse. Applicants specifically preserve the right to prosecute the non-elected claims.

Accordingly, early examination on the merits is respectfully requested.

The Commissioner is authorized to charge Deposit Account 502486 for any fees due to secure entry of this amendment to the extent necessary.

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